

**MINUTES OF MEETING
HERITAGE OAK PARK
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Heritage Oak Park Community Development District was held on Thursday, May 21, 2009 at 10:00 a.m. at the Heritage Oak Park Lodge, 19520 Heritage Oak Boulevard, Port Charlotte, Florida.

Present and constituting a quorum were:

Olin Earl Bell	Chairman
David C. Davis	Vice Chairman
Julia McIntyre	Assistant Secretary
Douglas P. Blake	Assistant Secretary
Betty Keller	Assistant Secretary

Also present were:

Cal Teague	District Manager
Mike Bell	District Engineer
Dan Bond	District Engineer
Kim Ueding	Property Manager
Thomas Huff	Architect
Several Residents	

The following is a summary of the minutes and actions taken at the May 21, 2009 meeting of the Heritage Oak Park Community Development District Board of Supervisors.

FIRST ORDER OF BUSINESS

Roll Call

Chairman Bell called the meeting to order and Mr. Teague called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Audience Comments

- Karol Padrucco spoke about the water aerobics class. She presented a petition to the Board from some HOA residents who wanted a change made to the time of the class from 10:00 a.m. to 9:00 a.m. She also spoke about the pool water temperature.

- Brian Bitgood noted when he walked along the lake the previous evening he discovered rains had completely eroded the underneath sidewalk. He remembered problems several years ago when pieces of the sidewalk had to be replaced. He recommended the Board ban the use of golf carts in the area until this is resolved and review the entire walkway to ensure there are no other issues besides this one.
- Frank Bowers voiced concern about the state of the walkways as well and also the effect of the fishermen on the lake.

FOURTH ORDER OF BUSINESS

Approval of Agenda and Consent Agenda

Consent Agenda Items:

A. Approval of the Minutes of the March 26, 2009 Continued Meeting, the April 16, 2009 Meeting and the April 30, 2009 Continued Meeting

- Chairman Bell stated each Board member received a copy of the minutes of the March 26, 2009 continued meeting, the April 16, 2009 meeting and the April 30, 2009 continued meeting and requested any corrections, additions or deletions.
- Minor corrections were made to the minutes of April 16, 2009 and April 30, 2009 and will be incorporated into those minutes.

<p>On MOTION by Mr. Blake seconded by Ms. McIntyre with all in favor the minutes of the March 26, 2009 continued meeting, the April 16, 2009 regular meeting and the April 30, 2009 continued meeting were approved as amended.</p>

FIFTH ORDER OF BUSINESS

Old Business

A. Maintenance Garage Discussion

- Mr. Blake noted our District Engineer, Mike Bell, and Thomas Huff, an architect who submitted a proposal for our project, are present.
- Mr. Huff introduced himself noting he has been an architect in this community for the past 20 years and spoke about his background.
- He noted once the design for the maintenance garage is approved, the construction phase would not be long. He believes it will take about three weeks from the time they start until they deliver the final product.

- Mr. Huff can have the draft drawings for Board consideration in a few weeks. He and Mr. Bell felt the building under consideration will be approximately 25' x 25' which should be sufficient.
- Mr. Blake noted we will spend anywhere from \$25,000 to \$50,000. A final figure cannot be determined until bids come in.
- The Board decided to continue the meeting to June 11, 2009 to review draft plans.

B. Drainage Improvements

- Mr. Blake noted the engineers need two weeks to finalize plans for drainage improvements. These will be presented at the June 11, 2009 meeting.

D. Mailbox Resolution

- Chairman Bell skipped Item C and went directly to Item D.
- Those who live in Villa I noticed the corrections and additions made to their mailboxes. The work is ongoing. All stickers and addresses will be removed. Rotting wood has been replaced. This will cost approximately \$200.
- Ms. McIntyre noted Resolution 2008-1 was adopted in November 2007 and removed everything from the mailbox except the numbers etched into them, meaning no names and no addresses.
- When people bought into this park, every mailbox had an address put up by the developer. People over time added things to their mailboxes. She felt we should change the resolution and allow the address to stay on each mailbox.

Ms. McIntyre MOVED to rescind Resolution 2008-1 which established the postal numbering system as the only permitted displays on the mailboxes in the District and Mr. Blake seconded the motion.

- Mr. Davis noted he remembers a lengthy discussion on this issue two years ago with the result being everything would be removed except the mailbox number. He does not see this as being a problem having no address.

On VOICE vote with Ms. McIntyre and Mr. Blake voting aye and Mr. Bell, Mr. Davis and Ms. Keller voting nay the prior motion to rescind Resolution 2008-1 failed.

SIXTH ORDER OF BUSINESS

New Business

- Mr. Bell discussed again the storage garage.

On MOTION by Mr. Blake seconded by Ms. Keller with all in favor the Board accepts the proposal from Thomas A. Huff Architect for the design and development of the maintenance and storage garage at a cost of \$2,800 and authorize the Chairman to sign.

- Mr. Blake noted in the estimate we received from the engineers, there is design and engineering work for \$7,000 which included the architectural fee of \$2,800. You anticipate the design and engineering fee amount to \$7,000 less \$2,800 which means \$4,200.
- Ms. McIntyre requested bills be more detailed and include dates of service.
- Ms. Keller noted she would like to see the bills allocated for each specific project with a separate line item.

On MOTION by Mr. Blake seconded by Ms. Keller with all in favor the Board authorized allocation of \$4,200 for Engineering Services for the garage.

- The \$4,200 includes surveying costs.
- Mr. Blake confirmed we have now authorized by contract Mr. Huff's services and Wilson Miller services both in connection with the garage.

SEVENTH ORDER OF BUSINESS

Engineer's Report

- Mr. Bell, District Engineer, noted today we gave a status update. On June 11, 2009 we will give a more formal presentation of what is proposed and give a power point presentation.

EIGHTH ORDER OF BUSINESS

**Community Development District
Planning Committee – Minutes of
May 5, 2009 Meeting**

- Ms. McIntyre noted the planning committee met on May 5, 2009 and reviewed the 2010 budget.
- The committee discussed hurricane protection for the lodge and the sports bar.
- Sharon Rask agreed to work with the HOPCA Disaster Readiness Committee to discuss alternatives for hurricane protection to bring information to the planning committee and to the Board for consideration.
- The committee discussed roof replacement costs. Ms. McIntyre was designated to contact Thomas A. Huff Architect to discuss.
- The committee also discussed street lights and getting quotes.
- The next meeting is June 2, 2009 at 7:00 p.m.

NINTH ORDER OF BUSINESS**Supervisor / Committee Reports**

- Chairman Bell distributed papers for the Board's consideration on the HOPCA/CDD funding agreement.
- Mr. Blake noted there is supposed to be a committee working towards resolving whether HOPCA should have its own staff, take care of its own maintenance, have its own property manager. He questioned whether this will increase overall costs for residents. An arrangement to share resources appears to be a reasonable solution; however, it is troubling because accounting may not always be accurate.
- Mr. Blake suggested accepting Chairman Bell's arrangement for this year during which time a better solution can be found on how expenses will be allocated.
- Ms. McIntyre noted for various services the amount dedicated to HOPCA ranges from 77% to 85%, for the property manager, maintenance tech, office assistant, irrigation tech, which clearly says the staff is 75% to 80% dedicated to HOPCA activities and 15% to 20% is dedicated to CDD activities. Most people believe the percentage is 50-50.
- An increase in HOA funding of the HOA/CDD funding agreement was discussed.

Mr. Blake MOVED to have the Board accept the HOPCA funding to \$100,000 for one year and that a standing committee be appointed to review this issue and provide regular updates on the progress being made and Ms. Keller seconded the motion.

- Mr. Teague noted in the report Chairman Bell prepared and submitted, the percentages are estimates only. There is no objective basis behind them and are purely subjective. He wanted the minutes to reflect this.
- Chairman Bell noted the percentages were prepared by three independent people; himself, Mr. McIntyre, who was the president of HOPCA last year, and Ms. Ueding. When they met as a group they took the three sheets, combined them and averaged them.

On VOICE vote with all in favor the prior motion was approved.

- Chairman Bell noted the new landscape and irrigation contract is in the process of being signed.
- Landscape services were reduced by \$2,000.
- Irrigation services were reduced from 5 days per week to 3 days per week. The fee was reduced to \$36,000 per year.
- The landscape contract was reduced to \$77,000 per year.

On MOTION by Mr. Blake seconded by Ms. Keller with all in favor the Chairman was authorized to sign the 12 month the landscape contract with Mainscape for budget year 2009-2010 which includes \$77,000 for landscape maintenance and \$36,000 for irrigation maintenance which reflects a 3 day a week service.

- Chairman Bell spoke about the other two proposals, Change of Office Location and Telephone System Update.
- He is projecting a community information line where you can pick up your telephone at any residence, dial a number and get a recording of events happening in the park and other information, for example, if the pool is closed. Each office will have the opportunity to put out a message.
- The other is a proposal to change office location from the current office to the library site and relocating the library to the existing office site. The library would

be closed for one week to facilitate the change in order to paint both facilities internally and to add track lighting in the library.

- The two above items are for informational purposes only and will be discussed at a future meeting.

Let the record reflect Mr. Bell, Mr. Bond and Mr. Huff left the meeting.

FIFTH ORDER OF BUSINESS

Old Business (continued)

C. Third Party Usage of Lodge

- Ms. Keller noted on April 27, 2009 we had a Lodge Use Policy Committee meeting comprised of Ms. Keller, Ms. McIntyre and Ms. Mary Christmas to review the lodge use policy.
- At that meeting, several audience members commented on their desire to allow various existing activities to continue in the same manner as before without requiring use of the concierges or the Activities Director to collect fees and hire program presenters.
- Ms. Keller read from the minutes of the committee meeting which explained the actions taken at that time.
- The committee recommended the CDD continue the current policy with minor changes in Section 1.1 of the Lodge Complex Use and Rental Policy.
- Mr. Blake noted he believed all activities should be scheduled through our Activities Director.
- Mr. Blake noted he is opposed to the Activities Director taking time, effort and expense to publish a directory. A periodic update to the directory will also be expensive.
- Ms. McIntyre noted we recently received new software for the property manager. As part of the software, it has a function called "Phone Book", you simply click it and it prints a phone book. It is built into the system.
- Ms. Keller noted the only changes made in the Lodge Complex Use and Rental policy were under Section 1.1, **General Information**, Residents Use, "A certified instructor or a resident group may schedule an activity for a minimal fee at the discretion of the Activities Director". They replaced vendor for a resident group.

- We are changing verbiage in Sign-Up Required to read: “Any resident use or private hire must be scheduled no more than three months but at least one month in advance with the Activities Director, who is to manage and schedule Lodge Complex activities for the community. Any activity planned and coordinated by the Activities Director which requires registration or prepayment must be registered and paid through the Concierge service or Activities Director. All funds collected by the Concierges or Activity Director must be deposited in the Activities Fund or the CDD Operating Fund. A sign up deadline must be posted on each activity and no refunds will be granted after deadline is passed.”
- The committee wanted the hours for swimming exercises in the winter changed from 11:00 a.m. to 10:00 a.m.
- Mr. Teague noted this should be split into two separate motions. This is part of rule making and we will have to set up a public hearing.

Ms. Keller MOVED to have the Board initiate the rule making process for revisions to the Heritage Oak Park Lodge Complex Use and Rental Policy and setting up of a public hearing Ms. McIntyre seconded the motion.

- Ms. McIntyre noted a lot of people attended the committee meeting. It was advertised locally and in the newspaper because it was a public meeting. Everyone who attended the meeting had the same thing to say and the minutes of this lodge complex use change reflect the wishes of every resident who attended.
- Mr. Davis had questions about the Section 1.1 and its interpretation.

On VOICE vote with Ms. Keller, Ms. McIntyre and Mr. Bell voting aye and Mr. Blake and Mr. Davis voting nay, the prior motion was approved.

- Ms. Keller inquired whether we need a separate motion on the swimming hours.
- Ms. McIntyre noted Ms. Ueding contacted the swimming instructor and asked if the time can be changed. The instructor determined they could not change due to the weather and pool temperatures.

- Ms. Christmas noted the swimming classes are from 10:00 a.m. to 11:00 a.m. in the summer and from 11:00 a.m. to 12:00 p.m. in the winter.

Let the record reflect the Board took a 30 minute break.

TENTH ORDER OF BUSINESS

Manager's Report

A. Distribution of the Proposed Budget for Fiscal Year 2010

- Mr. Teague noted the budget submitted to you reflects the changes made at the last meeting. We will ensure those get incorporated into the budget we send to the county as required by Chapter 190.
- Mr. Teague asked if anyone had changes in the budget. If there were none, we will move onto Resolution 2009-4 which adopts a proposed budget and establishes a public hearing for August 20, 2009.
- Chairman Bell spoke about the property manager's contract and the healthcare portion of it.
- Mr. Blake wanted a motion stating that barring the need for a policy change in the Employee Handbook, the Board recommends accepting the offer the chairman negotiated with Ms. Ueding.

Mr. Blake MOVED that barring the need for a policy change in the Employee Handbook, the Board should recommend accepting the offer negotiated with the Property Manager.
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- The Employee Handbook states, "All benefits provided such as health care, long term and short term disability, death benefits, and other similar employee insurance benefits, will be identified at the time of employment and will be as provided by the payroll provided at the time of hire". It does not specify the insurance information and so we may not have anything to do.
- Mr. Blake rescinded his prior motion.
- After much discussion, the Board approved a program that all employees be eligible for \$240 payment per month in lieu of receiving hospitalization and dental benefits.

Ms. McIntyre MOVED to approve a program offering all employees, in lieu of hospitalization and dental insurance, an option to receive \$240 per month and Mr. Blake seconded the motion.

- Gevity will be informed.

On VOICE vote with all in favor the prior motion was approved.

- From the Board's actions today, Contracts-Landscape will be reduced to \$77,000 and Contracts-Irrigation will be reduced to \$36,000.
- Capital Outlay-Clubhouse reduced to \$12,000.
- Increase Other Governmental Charges/Fees to \$100,000.
- Use Capital Outlay in Field as the line item to balance the budget.
- Increase Capital Outlay in Field for projected to \$100,000.

B. Consideration of Resolution 2009-4 Approving the Proposed Budget and Setting the Public Hearing

- This resolution approves the proposed budget and sets the public hearing.

Ms. McIntyre MOVED to adopt Resolution 2009-4 approving the budget for Fiscal Year 2010 and setting the public hearing for August 20, 2009 at 10:00 a.m. at the Heritage Oak Park Lodge, 19520 Heritage Oak Boulevard, Port Charlotte, Florida and Mr. Blake seconded the motion.

- There were questions on the date of the public hearing and when is the deadline for the public hearing.

On VOICE vote with all in favor the prior motion was approved.

C. Report on the Number of Registered Voters - 852

- We received a letter from the Supervisor of Elections that there are 852 registered voters in the District.

- The solar program was discussed. It was agreed the only participation by the District in a solar program would be if it is a 100% grant funded project.

D. Approval of Financial Statements and Check Register

- The financials show the District is in good condition.
- The Board requested a history of payments from HOPCA for the last two years be prepared for their review.

On MOTION by Ms. McIntyre seconded by Mr. Blake with all in favor the financial statements and check register for the period ending April 30, 2009 were approved.

ELEVENTH ORDER OF BUSINESS

Attorney's Report

There being no report, the next item followed.

TWELFTH ORDER OF BUSINESS

Property Manager's Report

A. Road Repair Considerations

B. Update on Miscellaneous Activities

- Ms. Ueding noted she is in the process of getting a proposal to put a gutter along the back portion of the lodge because every time it rains hard we get ground erosion. It will cost about \$1,400.
- She received a price to clean the back wall on Peachland. She will then get prices for painting it.
- She received quotes on the exercise equipment and will bring those to the Board.
- There is still an issue of people getting into the park even though there is a security gate. She is looking for suggestions to get more security on the gate. We also have solicitors coming in.
- It was suggested to change the codes completely and assign new ones to everybody. It was noted, many people who do not live in HOP have access to the code.
- The pool company will put in the chemicals monthly or bimonthly.
- Mr. Blake noted a large chunk of concrete have come off the stairs leading into the pool. We should receive quotes on replacing.

- Chairman Bell noted this is part and parcel of the gutter system Ms. Ueding is working on.
- She will get quotes for pressure cleaning walls.
- She is working on road repairs; she is having trouble getting Sunland to come and give quotes because they have been to the park a few times to give quotes, but that had to be postponed. She is trying to get a different company to quote on the road repairs.

THIRTEENTH ORDER OF BUSINESS

HOP Community Association Report

- Ms. Rask noted regarding the Firewise program HOPCA asked the CDD for a resolution of support for the program.
- They reported the idea of a landscaping committee and Ms. Keller was asked to work with this committee as a CDD liaison.

FOURTEENTH ORDER OF BUSINESS

Supervisor Requests

- At the June 11th continuation meeting, will have recommendation on the Lodge Use Policy.
- On the agenda for the continuation meeting: drainage improvements, maintenance building, consideration of recommendations from the Lodge Use Committee and Consideration on setting a public hearing for rulemaking to change Section 1.1 of the HOP Rules and Procedures.

FIFTEENTH ORDER OF BUSINESS

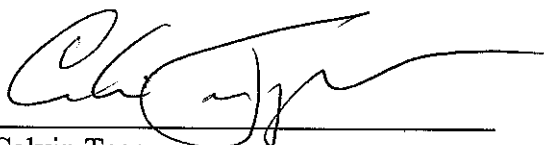
Audience Comments

There not being any, the next item followed.

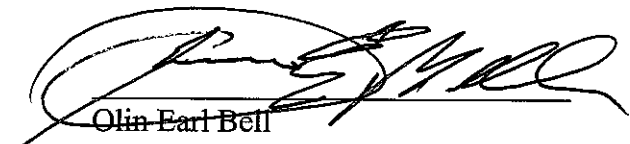
SIXTEENTH ORDER OF BUSINESS

Continuation

There being no further business, the meeting was continued to Thursday, June 11, 2009 at 9:00 a.m. at the Heritage Oak Park Lodge, 19520 Heritage Oak Boulevard, Port Charlotte, Florida.



 Calvin Teague
 Secretary



 Olin Earl Bell
 Chairman